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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

PRESIDING OFFICER'S
RULING NO. C2001-1/14

Complaint on Sunday and Holiday Collections

Docket No. C2001-1

PRESIDING OFFICER'S RULING
ON OUTSTANDING MOTIONS

(Issued September 26, 2001)

On September 24, 2001, Douglas F. Carlson filed a motion for late acceptance for Part I of his direct testimony.¹ The testimony was filed with the Commission on September 19, 2001, two days after the September 17, 2001 deadline established by Presiding Officer's Ruling No. C2001-1/11. Carlson cites the delay in air transportation for the mails caused by the national events occurring on September 11, 2001 as the reason for the testimony not arriving at the Commission on time. These circumstances were unforeseeable and beyond the control of the Complainant. Therefore, the motion for late acceptance is granted.

On September 24, 2001, Douglas F. Carlson also filed a motion for extension of time to respond to Presiding Officer's Ruling No. C2001-1/13.² Deadlines of October 1, 2001 for the Postal Service and October 9, 2001 for participants were established to reply to this ruling. Carlson requests an extension of time to file until October 26, 2001 citing a preexisting personal commitment, and recent delays in cross-country First-Class Mail delivery. He estimates that he will mail his response on October 13, 2001. Subsequently, the Postal Service filed a motion requesting an extension until October 9,

¹ Douglas F. Carlson Motion for Late Acceptance of Direct Testimony, filed September 24, 2001.

² Douglas F. Carlson Motion for Extension of Deadline to Respond to the Postal Service Response to Presiding Officer's Ruling No. C2001-1/13, filed September 24, 2001.

2001 to file its response.³ The Postal Service cites its recent focus on filing the rate case (R2001-1) and Carlson's request for extension of time as justification for its request.

Granting these motions as proposed would cause a seventeen-day delay in the schedule. However, to accommodate the participants, extensions of time shall be granted with the following provisions. The Postal Service shall file its response by October 9, 2001. To minimize the schedule delay, Carlson and the other participants are requested to electronically pre-file responses with the Commission's Docket Section by October 19, 2001, unless filing by hard-copy by that date. Participants' responses must be officially filed with the Commission no later than October 26, 2001 for consideration.

On September 24, 2001, a joint motion was filed requesting acceptance of a stipulation and agreement to place Postal Service institutional discovery responses into evidence.⁴ The stipulation and agreement was signed by all of the participants in this proceeding, and substantially conforms to the procedures proposed in Presiding Officer's Ruling No. C2001-1/11. The motion for acceptance of the stipulation and agreement is granted. The designated discovery responses are admitted as record evidence.

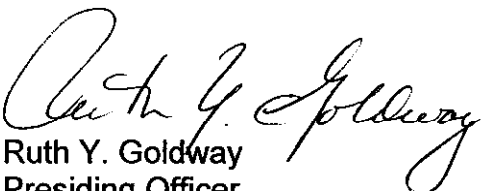
RULING

1. The Douglas F. Carlson Motion for Late Acceptance of Direct Testimony, filed September 24, 2001, is granted.
2. The Douglas F. Carlson Motion for Extension of Deadline to Respond to the Postal Service Response to Presiding Officer's Ruling No. C2001-1/13, filed September 24, 2001, is granted consistent with the body of this ruling.

³ Motion of the United States Postal Service for an Extension of Time to Respond to Presiding Officer's Ruling No. C2001-1/13, filed September 25, 2001.

⁴ Joint Motion of All Parties for Acceptance of Stipulation and Agreement to Place Postal Service Institutional Discovery Responses into Evidence, filed September 24, 2001.

3. The Motion of the United States Postal Service for an Extension of Time to Respond to Presiding Officer's Ruling No. C2001-1/13, filed September 25, 2001, is granted.
4. The Joint Motion of All Parties for Acceptance of Stipulation and Agreement to Place Postal Service Institutional Discovery Responses into Evidence, filed September 24, 2001, is granted.


Ruth Y. Goldway
Presiding Officer